

LEE M. PERLMAN
ATTORNEY AT LAW
1926 Greentree Rd, Suite 100
Cherry Hill, NJ 08003
(856) 751-4224
ATTORNEY FOR PLAINTIFF, JOANNA MULCAHY

	:	UNITED STATES BANKRUPTCY COURT
	:	
JOANNA MULCAHY	:	FOR THE DISTRICT OF NEW JERSEY
	:	
Debtor	:	CASE NO.: 09-27209 MBK
	:	
JOANNA MULCAHY	:	AP NO.:
	:	
Debtor/Plaintiff	:	<u>ADVERSARY COMPLAINT</u>
	:	
RJM ACQUISITIONS, LLC	:	
	:	
Defendant	:	
	:	
&	:	
	:	
HAYT, HAYT & LANDAU, LLC	:	
	:	
Defendant	:	

I. INTRODUCTION

1. This is an action for sanctions brought by an individual consumer for Defendants' contempt of the Order Discharging the Plaintiff pursuant to 11 U.S.C. § 105(a).
2. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. (hereafter FDCPA),

II. JURISDICTION

3. The Plaintiff filed her Chapter 7 case on July 2, 2009. This Court has jurisdiction over the adversary proceeding pursuant to 28 U.S.C. § 157 and 1334. This adversary proceeding is a core proceeding. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d), 28 U.S.C. § 1337, and supplemental jurisdiction exists for state law claims pursuant to 28 U.S.C. § 1367.

III. PARTIES

4. The Plaintiff is a natural person residing at 11 Lawrence Drive, Apt. A, Browns, Mills, NJ 08015.

5. The Defendant, RJM Acquisitions (hereinafter "RJM"), has a principal place of business at 575 Underhill Blvd., Ste. 224, Syosset, NY 11791-3416.

6. The Defendant, Hayt, Hayt, & Landau, LLC (hereafter "HHL"), has a principal place of business at Two Industrial Way West, P.O. Box 500, Eatontown, NJ 07724.

7. John Michael McDonnell is the duly appointed Chapter 7 Trustee in this case with an address of 115 Maple Ave. Suite 201, Red Bank NJ, 07701-1752. Although not a party to this action, the Trustee is a party in interest and will receive notice of the adversary proceeding.

IV. FACTUAL ALLEGATIONS

8. The Plaintiff's Chapter 7, no asset, case was commenced by filing a voluntary petition with the Clerk of this Court on July 2, 2009.

9. At that time, the Plaintiff included HHL in her "Schedule F" as an assignee for unsecured creditor RJM. A copy of the Plaintiff's "Schedule F" is attached as Exhibit "A".

10. HHL received notice from the Bankruptcy Noticing Center on or around July 9, 2009, that the Plaintiff had filed a voluntary Chapter 7 bankruptcy petition. See attached Notice of Bankruptcy and Certificate of Service as Exhibit "B".

11. The Plaintiff's Chapter 7 bankruptcy case was discharged on October 22, 2009. HHL received notice from the Bankruptcy Noticing Center on or around October 24, 2009, that the Plaintiff's bankruptcy was discharged. See attached Notice of Bankruptcy Discharge and Certificate of Service as Exhibit "C".

12. On January 26, 2010, HHL, on behalf of RJM, filed a notice of application for wage execution against the Plaintiff in civil court under docket number DC-001605-09 in order to collect the same debt that was discharged in the Plaintiff's Chapter 7 bankruptcy. See letter attached as Exhibit "D".

13. The attempted collection of this debt hinders the Debtor's ability to obtain the "fresh start" afforded through bankruptcy.

V. FIRST CLAIM FOR RELIEF

14. Plaintiff incorporates herein by reference each and every allegation contained in paragraphs one (1) through thirteen (13) as though set forth herein at length.

15. Defendant, SunTrust's actions constitute a clear violation of the Discharge Injunction pursuant to §524 of the Bankruptcy Code.

16. As a result of the above contempt of the Discharge Injunction Order, the Defendants are liable to the Plaintiff in the sum of the Plaintiff's actual damages, statutory damages, punitive damages, costs and attorney fees, and sanctions pursuant to § 105 of the Bankruptcy Code. .

VI. SECOND CLAIM FOR RELIEF

17. Plaintiff incorporates herein by reference each and every allegation contained in paragraphs one (1) through sixteen (16) as though set forth herein at length.

18. Defendants violated the FDCPA. Defendants' violations include, but are not limited to, the following:

- a. Defendants violated the FDCPA by using prohibited communication practices by communicating directly with the Plaintiff with the knowledge that he did not want to be contacted directly and communicated with him knowing he was represented by an attorney. Thus violating 15 U.S.C. § 1692c(a)(2).
- b. Defendants violated the FDCPA by failing to represent the legal status of the Plaintiff's debt as included in his Chapter 7 Bankruptcy in violation of 15 U.S.C. § 1692e(2).
- c. Defendants violated the FDCPA by attempting to collect any amount not authorized by the agreement creating the debt or permitted by law. Thus violating 15 U.S.C. § 1692f(1).

19. As a result of the above violations of the FDCPA, the Defendants are liable to the Plaintiff in the sum of the Plaintiff's actual damages, statutory damages, and costs and attorney fees.

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant in the amount of:

- a. actual damages;
- b. punitive damages
- c. costs and reasonable attorney's fees;

- d. permanent injunction against PRA from collecting this debt
- e. for such other and further relief as may be just and proper.

April 20, 2010
DATE

/s/ Lee M. Perlman
LEE M. PERLMAN, ESQUIRE

Exhibit A

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	DEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM, IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. Pressler & Pressler 16 Wing Dr 2nd Fl Cedar Knolls, NJ 07927		Assignee or other notification for: New Century Financial				
ACCOUNT NO. 9219 New York & Company PO Box 182122 Columbus, OH 43218		2006; Credit card purchases				1,142.88
ACCOUNT NO. NCC Business Services, Inc. 120 N Keyser Ave Scranton, PA 18504		Assignee or other notification for: New York & Company				
ACCOUNT NO. 6233 New York State Dept Of Taxation & Financ Bankruptcy Section PO Box 5300 Albany, NY 12205		2006; Tax Lien State				1,510.00
ACCOUNT NO. 3000 Palisades Collection 210 Sylvan Ave Englewood Cliffs, NJ 07632		2005; Collection account VJ-000668-07				439.00
ACCOUNT NO. Pressler & Pressler 16 Wing Dr 2nd Fl Cedar Knolls, NJ 07927		Assignee or other notification for: Palisades Collection				
ACCOUNT NO. 0509 RJM Acquisitions, LLC 575 Underhill Blvd Ste 224 Syosset, NY 11791-3416		2008; Collection account				846.40

Sheet no. 4 of 6 continuation sheets attached to
Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page) \$ **3,938.28**

Total
(Use only on last page of the completed Schedule F. Report also on
the Summary of Schedules, and if applicable, on the Statistical
Summary of Certain Liabilities and Related Data.) \$

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CREDITOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT UNLIQUIDATED DISPUTED			AMOUNT OF CLAIM
ACCOUNT NO. Hayt, Hayt & Landau, LLC PO Box 500 Eatontown, NJ 07724-0500		Assignee or other notification for: RJM Acquisitions, LLC				
ACCOUNT NO. 2212 Sprint PCS PO Box 219554 Kansas City, MO 64121		2004; Collection account				362.00
ACCOUNT NO. Calvary Portfolio/collection PO Box 1017 Hawthorne, NY 10532		Assignee or other notification for: Sprint PCS				
ACCOUNT NO. 7225 State Of New Jersey Dept Of Labor And Workforce Development PO Box 951 Trenton, NJ 08625		2006; Tax Lien State				6,330.00
ACCOUNT NO. 5215 Verizon PO Box 4830 Trenton, NJ 08650		2006; Collection account				3,649.00
ACCOUNT NO. Palisades Collections PO Box 1244 Englewood Cliffs, NJ 07632		Assignee or other notification for: Verizon				
ACCOUNT NO. 903 Verizon Virginia Inc PO Box 165018 Columbus, OH 43216		2006; Collection account				125.00
<div style="display: flex; justify-content: space-between;"> <div>Sheet no. <u>5</u> of <u>6</u> continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims</div> <div>Subtotal (Total of this page)</div> </div>						\$ 10,466.00
<div style="display: flex; justify-content: space-between;"> <div>(Use only on last page of the completed Schedule F. Report also on the Summary of Schedules, and if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)</div> <div>Total</div> </div>						\$

Exhibit B

UNITED STATES BANKRUPTCY COURT
DISTRICT of District of New Jersey

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A Chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 7/2/09.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Joanna Mulcahy
11 Lawrence Dr Apt A
Browns Mills, NJ 08015

Social Security/Taxpayer ID/Employer ID/Other Nos.:
xxx-xx-5063 (Joanna Mulcahy)

United States Bankruptcy Judge:
Honorable Michael B. Kaplan

Attorney for Debtor(s) (name and address):
Christopher G. Cassie
Law Office of Lee M. Perlman
1926 Greentree Road
Suite 100
Cherry Hill, NJ 08003
Telephone number: (856) 751-4224

Trustee:
John Michael McDonnell
Trenk DiPasquale, et al.
115 Maple Avenue
Suite 201
Red Bank, NJ 07701
Telephone number: 973-243-8600
The United States Trustee, Region 3 appoints the above-named individual as interim trustee as of the date of the filing of the bankruptcy petition.

Meeting of Creditors:

Date: **August 18, 2009**

Time: **03:00 PM**

Location: **Clarkson S. Fisher Federal Courthouse, 402 East State Street, Room 129, Trenton, NJ 08608-1507**

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

The presumption of abuse does not arise.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:
10/19/09

Deadline to Object to Exemptions:
Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:
402 East State Street
Trenton, NJ 08608
Telephone number: 609-989-2200

For the Court:

Clerk of the Bankruptcy Court:
James J. Waldron

Business Hours:
8:30 AM - 4:00 p.m., Monday - Friday (except holidays)

Date: 7/7/09

EXPLANATIONS

B9A (Official Form 9A) (12/07)

Proof of Identification and Social Security Number	Important notice to individual debtors: Effective March 1, 2002, all individual debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors. Failure to do so may result in your case being dismissed.
Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that Deadline. Writing a letter to the court or the judge is not a substitute for the filing of an adversary complaint.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
--- Refer to Other Side for Important Deadlines and Notices ---	

Certificate of Service Page 3 of 5

Undeliverable Notices. Undeliverable notices will be sent by return mail to the debtor. It is the debtor's responsibility to obtain the party's correct address, resend the returned notice, and notify this office of the party's change of address. Failure to provide all parties with a copy of this notice may adversely affect the debtor as provided by the Bankruptcy Code.

Case information – telephone access. Case summary information can be obtained from any touch tone telephone by calling the automated Voice Case Information System (VCIS) at the toll free number: 1-877-239-2547. This service is free of charge and is available 24 hours a day.

Case information – electronic access. Case summary and docket information can be obtained from the Public Access to Court Electronic Records (Pacer) System. To register or for more information, please call the Pacer Billing Center at 1-800-676-6856 or visit the Pacer Web Site: <http://pacer.psc.uscourts.gov>.

Internet access. Additional information may be available at the Court's Web Site: <http://www.njb.uscourts.gov>.

Certificate of Service

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CERTIFICATE OF NOTICE

District/off: 0312-3
Case: 09-27209

User: bhiggins
Form ID: b9a

Page 1 of 2
Total Noticed: 45

Date Rcvd: Jul 07, 2009

The following entities were noticed by first class mail on Jul 09, 2009.

db +Joanna Mulcahy, 11 Lawrence Dr Apt A, Browns Mills, NJ 08015-1746
aty +Christopher G. Cassie, Law Office of Lee M. Perlman, 1926 Greentree Road, Suite 100,
Cherry Hill, NJ 08003-1100
tr +John Michael McDonnell, Trenk DiPasquale, et al., 115 Maple Avenue, Suite 201,
Red Bank, NJ 07701-1752
smg U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg +United States Trustee, Office of the United States Trustee, One Newark Center, Suite 2100,
Newark, NJ 07102-5235
509817756 American Honda Finance, 1220 Old Alpharetta Rd, Alpharetta, GA 30005-3968
509817759 +Calvary Portfolio/collection, PO Box 1017, Hawthorne, NY 10532-7504
509817760 +Cavalry Portfolio Svcs, PO Box 1030, Hawthorne, NY 10532-7509
509817761 +Citibank, Attn: Corporate Bankruptcy Department, 7920 NW 110th St,
Kansas City, MO 64153-1270
509817762 +Citibank USA (Home Depot), Attn: Bankruptcy Dept, PO Box 20487, Kansas City, MO 64195-0487
509817763 +Comcast Bankruptcy Department, Attn: Jackie Gaynor, 401 White Horse Rd Ste 2,
Voorhees, NJ 08043-2604
509817764 +Credit Protect Assoc, PO Box 802068, Dallas, TX 75380-2068
509817765 +Credit Solutions Corp, 9573 Chesapeake Dr Ste 1, San Diego, CA 92123-1304
509817766 +Equifax, PO Box 740256, Atlanta, GA 30374-0256
509817767 +Er Solutions, PO Box 9004, Renton, WA 98057-9004
509817768 +Experian, PO Box 9701, Allen, TX 75013-9701
509817770 Hayt, Hayt & Landau, LLC, PO Box 500, Eatontown, NJ 07724-0500
509817772 +Imagine/fbofd, 6 Concourse Pkwy NE Fl 2, Atlanta, GA 30328-6117
509817773 +John R. Morton Jr., Esquire, 110 Marter Ave Ste 301, Moorestown, NJ 08057-3124
509817775 +MCI Worldcom, 500 Technology De Ste 300, Saint Charles, MO 63304-2225
509817776 +NCC Business Services, Inc., 120 N Keyser Ave, Scranton, PA 18504-9701
509817779 +NCO Financial Systems, 3850 N Causeway Blvd Ste 350, Metairie, LA 70002-8195
509817777 +Nco Fin/09, 507 Prudential Rd, Horsham, PA 19044-2308
509817778 +Nco Financial Systems, 507 Prudential Rd, Horsham, PA 19044-2368
509817782 +New York State Dept Of Taxation & Financ, Bankruptcy Section, PO Box 5300,
Albany, NY 12205-0300
509817783 +Palisades Collection, 210 Sylvan Ave, Englewood Cliffs, NJ 07632-2524
509817784 +Palisades Collections, PO Box 1244, Englewood Cliffs, NJ 07632-0244
509817785 +Pressler & Pressler, 16 Wing Dr 2nd Fl, Cedar Knolls, NJ 07927-1007
509817790 +State Of New Jersey, Dept Of Labor And Workforce Development, PO Box 951,
Trenton, NJ 08625-0951
509817791 +Transunion, PO Box 2000, Crum Lynne, PA 19022-2002

The following entities were noticed by electronic transmission on Jul 07, 2009.

tr +ED1: BJMMCDONNELL.COM Jul 07 2009 18:53:00 John Michael McDonnell, Trenk DiPasquale, et al.,
115 Maple Avenue, Suite 201, Red Bank, NJ 07701-1752
509817755 +ED1: AFNIRECOVERY.COM Jul 07 2009 18:53:00 AFNI, PO Box 3517, Bloomington, IL 61702-3517
509817757 +ED1: PHINAMERI.COM Jul 07 2009 18:53:00 Americredit, PO Box 183853, Arlington, TX 76096
509817758 +ED1: CINGMIDLAND.COM Jul 07 2009 18:53:00 AT&T, PO Box 8212, Aurora, IL 60572-8212
509817761 +ED1: CITICORP.COM Jul 07 2009 18:53:00 Citibank, Attn: Corporate Bankruptcy Department,
7920 NW 110th St, Kansas City, MO 64153-1270
509817769 +ED1: FORD.COM Jul 07 2009 18:53:00 Ford Motor Credit, PO Box 542000,
Omaha, NE 68154-8000
509817771 +ED1: HPC.COM Jul 07 2009 18:53:00 Hsbc Bank, PO Box 5213, Carol Stream, IL 60197-5213
509817774 +ED1: RESURGENT.COM Jul 07 2009 18:53:00 Lvnv Funding, PO Box 10587,
Greenville, SC 29603-0587
509817780 +E-mail/PDF: bankruptcy@ncfsi.com Jul 08 2009 00:42:33 New Century Financial,
2 Ridgedale Ave Ste 104, Cedar Knolls, NJ 07927-1118
509817781 +ED1: WFNBN.COM Jul 07 2009 18:53:00 New York & Company, PO Box 182122,
Columbus, OH 43218-2122
509817787 +ED1: PHINRJMA.COM Jul 07 2009 18:53:00 RJM Acquisitions, LLC, 575 Underhill Blvd Ste 224,
Syosset, NY 11791-3416
509817786 +ED1: PHINRJMA.COM Jul 07 2009 18:53:00 Rjm Acq LLC, 575 Underhill Blvd Ste 2,
Syosset, NY 11791-3426
509817788 +ED1: RESURGENT.COM Jul 07 2009 18:53:00 Sherman Acquisitions, PO Box 10587,
Greenville, SC 29603-0587
509817789 +ED1: NEXTEL.COM Jul 07 2009 18:53:00 Sprint PCS, PO Box 219554,
Kansas City, MO 64121-9554
509817792 +ED1: AFNIVZCOMBINED.COM Jul 07 2009 18:53:00 Verizon, PO Box 4830, Trenton, NJ 08650-4830
509817793 +ED1: AFNIVZCOMBINED.COM Jul 07 2009 18:53:00 Verizon Virginia Inc, PO Box 165018,
Columbus, OH 43216-5018
509817794 +ED1: FUNB.COM Jul 07 2009 18:53:00 Wachovia Bank, Central Bankruptcy Department,
VA 7359, PO Box 13765, Roanoke, VA 24037

TOTAL: 17

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Exhibit C

UNITED STATES BANKRUPTCY COURT

District of New Jersey
402 East State Street
Trenton, NJ 08608

Case No.: 09-27209-MBK
Chapter: 7
Judge: Michael B. Kaplan

In Re: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Joanna Mulcahy
11 Lawrence Dr Apt A
Browns Mills, NJ 08015

Social Security No.:

xxx-xx-5063

Employer's Tax I.D. No.:

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge,

IT IS ORDERED:

The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

BY THE COURT

Dated: October 22, 2009

Michael B. Kaplan
United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

Collection of Discharged Debts Prohibited

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. *[In a case involving community property:* There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

Debts That are Discharged

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

Debts that are Not Discharged.

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts incurred to pay nondischargeable taxes;
- c. Debts that are domestic support obligations;
- d. Debts for most student loans;
- e. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- f. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle, vessel, or aircraft while intoxicated;
- g. Some debts which were not properly listed by the debtor;
- h. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- i. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts; and
- j. Debts owed to certain pension, profit sharing, stock bonus, other retirement plans, or to the Thrift Savings Plan for federal employees for certain types of loans from these plans.

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.

Certificate of Service

Page 3 of 4

CERTIFICATE OF NOTICE

District/off: 0312-3
Case: 09-27209

User: dnorton
Form ID: b18

Page 1 of 2
Total Noticed: 46

Date Rcvd: Oct 22, 2009

The following entities were noticed by first class mail on Oct 24, 2009.

db +Joanna Mulcahy, 11 Lawrence Dr Apt A, Browns Mills, NJ 08015-1746
smg U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg +United States Trustee, Office of the United States Trustee, One Newark Center, Suite 2100, Newark, NJ 07102-5235

509817756 ++AMERICAN HONDA FINANCE, P O BOX 168088, IRVING TX 75016-8088
(address filed with court: American Honda Finance, 1220 Old Alpharetta Rd, Alpharetta, GA 30005-3968)

509817759 +Calvary Portfolio/collection, PO Box 1017, Hawthorne, NY 10532-7504
509817760 +Cavalry Portfolio Svcs, PO Box 1030, Hawthorne, NY 10532-7509
509817761 +Citibank, Attn: Corporate Bankruptcy Department, 7920 NW 110th St, Kansas City, MO 64153-1270

509817762 +Citibank USA (Home Depot), Attn: Bankruptcy Dept, PO Box 20487, Kansas City, MO 64195-0487
509817763 +Comcast Bankruptcy Department, Attn: Jackie Gaynor, 401 White Horse Rd Ste 2, Voorhees, NJ 08043-2604

509817764 +Credit Protect Assoc, PO Box 802068, Dallas, TX 75380-2068
509817765 +Credit Solutions Corp, 9573 Chesapeake Dr Ste 1, San Diego, CA 92123-1304
509817766 +Equifax, PO Box 740256, Atlanta, GA 30374-0256
509817767 +Er Solutions, PO Box 9004, Renton, WA 98057-9004
509817768 +Experian, PO Box 9701, Allen, TX 75013-9701
509817770 Hayt, Hayt & Landau, LLC, PO Box 500, Eatontown, NJ 07724-0500
509817772 +Imagine/fbofd, 6 Concourse Pkwy NE Fl 2, Atlanta, GA 30328-6117
509817773 +John R. Morton Jr., Esquire, 110 Marter Ave Ste 301, Moorestown, NJ 08057-3124
509817775 +MCI Worldcom, 500 Technology De Ste 300, Saint Charles, MO 63304-2225
509817776 +NCC Business Services, Inc., 120 N Keyser Ave, Scranton, PA 18504-9701
509817779 +NCO Financial Systems, 3850 N Causeway Blvd Ste 350, Metairie, LA 70002-8195
509817777 +Nco Fin/09, 507 Prudential Rd, Horsham, PA 19044-2308
509817778 +Nco Financial Systems, 507 Prudential Rd, Horsham, PA 19044-2368
509817782 +New York State Dept Of Taxation & Financ, Bankruptcy Section, PO Box 5300, Albany, NY 12205-0300

509817783 +Palisades Collection, 210 Sylvan Ave, Englewood Cliffs, NJ 07632-2524
509817784 +Palisades Collections, PO Box 1244, Englewood Cliffs, NJ 07632-0244
509817785 +Pressler & Pressler, 16 Wing Dr 2nd Fl, Cedar Knolls, NJ 07927-1007
509817790 +State Of New Jersey, Dept Of Labor And Workforce Development, PO Box 951, Trenton, NJ 08625-0951

509888948 +State of New Jersey, Department of Labor, PO Box 951, Trenton, NJ 08625-0951
509817791 +Transunion, PO Box 2000, Crum Lynne, PA 19016-2000

The following entities were noticed by electronic transmission on Oct 22, 2009.

509817755 +EDI: AFNIRECOVERY.COM Oct 22 2009 17:08:00 AFNI, PO Box 3517, Bloomington, IL 61702-3517
509833269 EDI: PHINAMERI.COM Oct 22 2009 17:08:00 AmeriCredit Financial Services, Inc., PO Box 183853, Arlington, TX 76096

509817757 EDI: PHINAMERI.COM Oct 22 2009 17:08:00 Americredit, PO Box 183853, Arlington, TX 76096
509817758 +EDI: CTNGMIDLAND.COM Oct 22 2009 17:08:00 AT&T, PO Box 8212, Aurora, IL 60572-8212
509817761 +EDI: CITICORP.COM Oct 22 2009 17:08:00 Citibank, Attn: Corporate Bankruptcy Department, 7920 NW 110th St, Kansas City, MO 64153-1270

509817769 EDI: FORD.COM Oct 22 2009 17:08:00 Ford Motor Credit, PO Box 542000, Omaha, NE 68154-8000

509817771 +EDI: HFC.COM Oct 22 2009 17:08:00 Hsbc Bank, PO Box 5213, Carol Stream, IL 60197-5213
509817774 +EDI: RESURGENT.COM Oct 22 2009 17:08:00 Lvnv Funding, PO Box 10587, Greenville, SC 29603-0587

509817780 +E-mail/PDF: bankruptcy@ncfsi.com Oct 22 2009 21:16:35 New Century Financial, 2 Ridgedale Ave Ste 104, Cedar Knolls, NJ 07927-1118

509817781 +EDI: WFNMB.COM Oct 22 2009 17:08:00 New York & Company, PO Box 182122, Columbus, OH 43218-2122

509817787 EDI: PHINRJMA.COM Oct 22 2009 17:08:00 RJM Acquisitions, LLC, 575 Underhill Blvd Ste 224, Syosset, NY 11791-3416

509872158 EDI: RECOVERYCORP.COM Oct 22 2009 17:08:00 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605

509817786 +EDI: PHINRJMA.COM Oct 22 2009 17:08:00 Rjm Acq Llc, 575 Underhill Blvd Ste 2, Syosset, NY 11791-3426

509817788 +EDI: RESURGENT.COM Oct 22 2009 17:08:00 Sherman Acquisitions, PO Box 10587, Greenville, SC 29603-0587

509817789 +EDI: NEXTEL.COM Oct 22 2009 17:08:00 Sprint PCS, PO Box 219554, Kansas City, MO 64121-9554

509817792 +EDI: AFNIVZCOMBINED.COM Oct 22 2009 17:08:00 Verizon, PO Box 4830, Trenton, NJ 08650-4830
509817793 EDI: AFNIVZCOMBINED.COM Oct 22 2009 17:08:00 Verizon Virginia Inc, PO Box 165018, Columbus, OH 43216

509817794 EDI: FUNB.COM Oct 22 2009 17:08:00 Wachovia Bank, Central Bankruptcy Department, VA 7359, PO Box 13765, Roanoke, VA 24037

TOTAL: 18

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Exhibit D

HAYT, HAYT & LANDAU, LLC
TWO INDUSTRIAL WAY WEST - P.O. BOX 500
EATONTOWN, NEW JERSEY 07724
(732) 544-9080
ATTORNEYS FOR PLAINTIFF
OUR FILE NO. 280216

RJM ACQUISITIONS, LLC

PLAINTIFF(S)

- VS -

JOANNA MULCAHY

DEFENDANT(S)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - BURLINGTON COUNTY
SPECIAL CIVIL PART
DOCKET NO: DC-001605-09
JUDGMENT NO:

CIVIL ACTION

NOTICE OF APPLICATION FOR
WAGE EXECUTION

TO: JOANNA MULCAHY
11-A LAWRENCE DR
BROWNS MILLS NJ 08015

TAKE NOTICE that an application is being made by the judgment-creditor to the above-named Court located at 49 RANCOCAS ROAD MOUNT HOLLY NJ 08060,

for a Wage Execution Order to issue against your salary, to be served on your employer, DEBORAH HEART AND LUNG CENTER 200 TRENTON RD BROWNS MILLS NJ 08015, for: (a) 10% of your gross salary when the same shall equal or exceed the amount of \$217.50 per week; or (b) 25% of your disposable earnings for that week; or (c) the amount, if any, by which your disposable weekly earnings exceed \$217.50, whichever shall be the least. Disposable earnings are defined as that portion of the earnings remaining after the deduction from the gross earnings of any amounts required by law to be withheld. In the event the disposable earnings so defined are \$217.50 or less, no amount shall be withheld under this execution. In no event shall more than 10% of gross salary be withheld. Your employer may not discharge, discipline or discriminate against you because your earnings have been subjected to garnishment.

You may notify the Clerk of the Court and the attorneys for the judgment-creditor, whose address appears above, in writing, within ten days after service of this notice upon you, why such an Order should not be issued, and thereafter the application for the Order will be set down for a hearing of which you will receive notice of the date, time and place.

If you do not notify the Clerk of the Court and judgment-creditor's attorney in writing of your objection, you will receive no further notice and the Order will be signed by the Judge as a matter of course.

You also have the continuing right to object to the wage execution or apply for a reduction in the amount withheld even after it has been issued by the Court. To object or apply for a reduction, file a written statement of your objection or reasons for a reduction with the Clerk of the Court and send a copy to the creditor's attorney. You will be entitled to a hearing within 7 days after you file your objection or application for a reduction.

CERTIFICATION OF SERVICE

I served the within Notice upon the judgment-debtor JOANNA MULCAHY, on this date by sending it simultaneously by regular and certified mail, return receipt requested, to the judgment-debtor's last known address, set forth above. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

HAYT, HAYT & LANDAU
ATTORNEYS FOR PLAINTIFF, JUDGMENT CREDITOR
RJM ACQUISITIONS, LLC

BY: s/Christopher R. Bedi

CHRISTOPHER R. BEDI

DATED: JANUARY 26, 2010